

1 L. Julius M. Turman (SBN 226126)  
2 REED SMITH LLP  
3 101 Second Street, Suite 1800  
4 San Francisco, California 94105-3659  
5 Telephone: (415) 543-8700  
6 Facsimile: (415) 391-8269  
7 Email: jturman@reedsmit.com  
8 Barbra W. Diallo (SBN 249667)

9  
10 REED SMITH LLP  
11 355 South Grand Avenue, Suite 2900  
12 Los Angeles, CA 90071-1514  
13 Telephone: 213.457.8135  
14 Facsimile: 213.457.8080  
15 Email: bdiallo@reedsmit.com

16 Attorneys for Defendants  
17 EDUCATION MANAGEMENT CORPORATION  
18 and THE ART INSTITUTE OF CALIFORNIA –  
19 SILICON VALLEY

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE COURTHOUSE**

R. Lee Davis,

Case No. 14-04777- EJD

Plaintiff,

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO DISMISS  
FOR FAILURE TO PROSECUTE**

v.

Education Management Corporation and The  
Art Institute of California – Silicon Valley,

Defendants.

Hearing:

Date: April 7, 2016

Time: 9:00 a.m.

Location: Courtroom 4, 5<sup>th</sup> Floor

Compl. Filed: October 27, 2014

Trial Date: TBD

*Honorable Edward J. Davila, U.S. D.J.*

**[PROPOSED] ORDER**

Good cause having been shown, this Court hereby grants Defendants Education Management Corporation's and The Art Institute of California – Silicon Valley's Motion to Dismiss Plaintiff Rufus Lee Davis' Complaint with prejudice.

For the reasons stated in Defendants' motion and in light of Plaintiff's failure to oppose the relief requested, this action is DISMISSED for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b). The hearing scheduled for December 10, 2015, is VACATED. Judgment will be entered in favor of Defendants and the Clerk shall close this file.

IT IS SO ORDERED.

DATED: December 4, 2015

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UNITED STATES DISTRICT COURT JUDGE

REED SMITH LLP  
A limited liability na